

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/698,087 Confirmation No.: 1016
Applicant : Robert W. Howland
Filing Date : October 31, 2003
Title : Multi Selective Axis Spinal Fixation System
Group Art Unit : 3733
Examiner : James L. Swiger III
Docket No. : 703716.4001
Customer No. : 34313

Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

I. Submission required under 37 CFR § 1.114

- A. ☒ Previously submitted
1. ☒ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on **August 18, 2006**.
 2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 3. ☐ Other _____
- B. ☐ Enclosed
1. ☐ Amendment/Reply
 2. ☐ Affidavit(s)/Declarations(s)
 3. ☐ Information Disclosure Statement (IDS)
 4. ☐ Other _____

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II. Miscellaneous

- A. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR § 1.17(i) required.)
- B. ☐ Other _____

III. Fees

- A. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 150665
1. ☐ RCE fees (37 CFR §1.17(e):

| | | | | | | |
|--|---|---|------------------------------------|-----|------------|----------|
| RCE Fee | | | | | | \$790.00 |
| | Claims filed or remaining after amendment | | Highest number previously paid for | | | |
| Total Claims | 9 | - | 13 | = 0 | x \$50.00 | \$ 0.00 |
| Independent Claims | 4 | - | 4 | = 0 | x \$200.00 | \$0.00 |
| <input checked="" type="checkbox"/> Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. | | | | | | \$395.00 |
| TOTAL OF FILING FEES | | | | | | \$395.00 |

2. ☐ Extension of time fee (37 CFR §§ 1.136 and 1.17)

| EXTENSION (months) | FEE FOR SMALL ENTITY | FEE FOR OTHER THAN SMALL ENTITY |
|---------------------------------------|----------------------|---------------------------------|
| <input type="checkbox"/> one month | \$60.00 | \$120.00 |
| <input type="checkbox"/> two months | \$225.00 | \$450.00 |
| <input type="checkbox"/> three months | \$510.00 | \$1,020.00 |
| TOTAL OF EXTENSION FEES | | |
| TOTAL OF ABOVE CALCULATIONS | | \$395.00 |

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: 9/1/06

By: Samuel B. Stone
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